

REMARKS

In the Office Action mailed March 9, 2007, the Examiner rejected claims 1-13 under 35 U.S.C. §112 (first paragraph). In response, Applicant amends claim 1 for the Examiner's consideration. Claims 14-20 were cancelled in a previous response. Therefore, claims 1-13 remain pending for the Examiner's consideration. Applicant's amendments to claim 1 are submitted following a discussion with the Examiner's supervisor, Michael Barr, and are believed to place claims 1-13 in condition for allowance. Therefore, Applicant respectfully requests that these amendments be entered.

Allowable Subject Matter

The Examiner has acknowledged that claims 1-13 would be allowable if re-written to overcome the §112 rejection. Applicant thanks the Examiner for this determination and has amended claims 1-13 to overcome the §112 rejection.

Telephone Interview

Applicant's undersigned representative, Damon Ashcraft, attempted to contact the Examiner on March 15, 2007 but was unable to reach him because the Examiner was on medical leave. Thus, Mr. Ashcraft contacted the Examiner's supervisor, Michael Barr, and discussed the Office Action with Mr. Barr.

Specifically, Mr. Ashcraft pointed out that paragraph 0049 of the specification as filed contained support for the claimed limitation of "adjusting the movement of the conveyor belt based on information received from the sensors" and that the rejection of claims 1-13 under 35 U.S.C. §112 (first paragraph) was improper. While not stating that Mr. Ashcraft was incorrect in his argument related to paragraph 0049, Mr. Barr suggested amending claim 1 to recite "starting

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the movement of the conveyer belt based on information received from the sensors” to better overcome the Examiner’s rejection. In the interests of expediting prosecution, Applicant has so amended claim 1 and believes it and its dependent claims are now allowable. Applicant thanks Mr. Barr for his time and helpful comments during the telephone interview.

The §112 Rejection

The Examiner rejected claims 1-13 under 35 U.S.C. §112 (first paragraph) for failing to comply with the written description requirement. Specifically, the Examiner argues that the limitation of “adjusting the movement of the conveyer belt based on information received from the sensors” was not described in the original filed specification.

Applicant respectfully disagrees. Paragraph 0049 of the specification as originally filed contains a detailed explanation of how the movement of the conveyer belt is adjusted based on information received from the sensors. Nonetheless, to expedite prosecution and to accept Mr. Barr’s helpful recommendation, claim 1 has been amended to recite:

A system for sanitizing a shopping cart, comprising: a fluid delivery source for providing a fluid; a plurality of nozzles for receiving said fluid and ejecting said fluid, said plurality of nozzles being positioned in multiple sets of a plurality of nozzles, where each set the plurality of nozzles is directed to provide said fluid to the centermost area of an enclosure; a conveyor belt system for conveying a shopping cart from a first end of the enclosure to a second end of said enclosure, said conveyor belt system comprising a conveyor belt in communication with a conveyor belt motor for use in moving the conveyor belt, said conveyor belt for transporting the shopping cart thereon; a plurality of sensors for providing a signal indicative of the position of said shopping cart in said enclosure; and a processor controlling said conveyer belt system for receiving said sensor signal and activating said delivery source in accordance with the position of said shopping cart and starting the movement of the conveyer belt based on information received from the sensors.

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Notably, as suggested by Mr. Barr, claim 1 now recites the limitation of “starting the movement of the conveyer belt based on information received from the sensors.” Mr. Barr believes, and Applicant concurs, that this limitation is supported by the specification as filed and as such, amended claim 1 is fully supported by the specification as filed. Therefore, Applicant respectfully requests that this rejection of claim 1 be withdrawn. Applicant also respectfully requests that this rejection of claims 2-13 be withdrawn as claims 2-13 depend from claim 1 and therefore also contain this limitation which is believed to be supported in the specification.

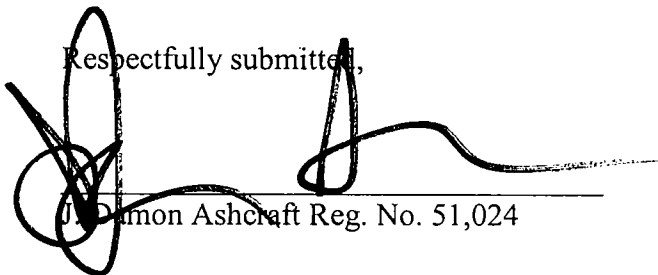
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CONCLUSION

In view of the foregoing, it is believed that claims 1-13 are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact Mr. Ashcraft at 602-382-6389.

If necessary, the Commissioner is hereby authorized to charge payment or credit any overpayment to Deposit Account No. 1928-14 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

Dated: 3/29/07
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